

**FOR UTILITY/DESIGN  
CIP/PCT NATIONAL/PLANT  
ORIGINAL/SUBSTITUTE/SUPPLEMENTAL  
DECLARATIONS**

**RULE 63 (37 C.F.R. 1.63)  
DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**PW  
FORM**

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the INVENTION ENTITLED LIP ENHANCER

the specification of which (CHECK applicable BOX(ES))  
☒ A. ☒ is attached hereto.  
 BOX(ES) ☐ B. ☐ was filed on \_\_\_\_\_ as U.S. Application No. \_\_\_\_\_ /  
☐ C. ☐ was filed as PCT International Application No. PCT/ \_\_\_\_\_ / on \_\_\_\_\_  
 and (if applicable to U.S. or PCT application) was amended on \_\_\_\_\_  
 I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56. Except as noted below, I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International Application which designated at least one other country than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT International Application, filed by me or my assignee disclosing the subject matter claimed in this application and having a filing date (1) before that of the application on which priority is claimed, or (2) if no priority claimed, before the filing date of this application:

PRIOR FOREIGN APPLICATION(S)	Date first Filed- open or Published	Date Patented or Granted	Priority NOT Claimed
Number Country Day/MONTH/Year Filed			

If more prior foreign applications, X box at bottom and continue on attached page.

Except as noted below, I hereby claim domestic priority benefit under 35 U.S.C. 119(a) or 120 and/or 365(c) of the indicated United States applications listed below and PCT international applications listed above or below and, if this is a continuation-in-part (CIP) application, insofar as the subject matter disclosed and claimed in this application is in addition to that disclosed in such prior applications, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56 which became available between the filing date of each such prior application and the national or PCT International filing date of this application:

PRIOR U.S. PROVISIONAL, NONPROVISIONAL AND/OR PCT APPLICATION(S)	Status	Priority NOT Claimed
Application No. (series code/serial no.) Day/MONTH/Year Filed	pending, abandoned, patented	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And I hereby appoint Pillsbury Winthrop LLP, Intellectual Property Group, 50 Fremont Street, P.O. Box 7880, San Francisco, 94105, telephone (415) 983-1000 (to whom all communications are to be directed), and the below-named persons (of the same address) individually and collectively my attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent, and I hereby authorize them to delete names/numbers below of persons no longer with their firm and to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct the above firm and/or a below attorney in writing to the contrary.

Paul N. Kokulis	16773	G. Paul Edgell	24238	Jack S. Baruffa	37087	Robert J. Walters	40862
G. Lloyd Knight	17698	David A. Jakopin	32995	Adam R. Hees	41835	Brian J. Bestus	38825
George M. Sirila	18221	Mark G. Paulson	30793	William P. Atkins	38821	Jonathan E. Jobe, Jr.	28429
Donald J. Bird	25323	Stephen C. Glazier	31361	Paul L. Sharer	36004	Mark C. Pickering	36239
Dale S. Lazar	28872	Richard H. Zallen	27248	Robin L. Teskin	35030	David H. Jaffer	32243
Glen J. Perry	28458	Roger R. Wise	31204	Anthony L. Miele	34393	John R. Wetherell	31678
Steven Moore	35959	Victor J. Castellucci	43535				

(1) INVENTOR'S SIGNATURE: 

Date: 11/29/01

First	Middle Initial	Family Name
Nicholas		PALAHNUK
Residence	City	State/Foreign Country
Burbank	California	U.S.A.
Mailing Address	Country of Citizenship	
(include Zip Code)	4116 West Woodland Avenue, Burbank, California	
	91505	

(2) INVENTOR'S SIGNATURE: 

Date: 11/29/01

First	Middle Initial	Family Name
Simon		HOLDEN
Residence	City	State/Foreign Country
Los Angeles	California	United Kingdom
Mailing Address	Country of Citizenship	
(include Zip Code)	8822 Woodrow Wilson Drive, Los Angeles, California	
	90068	

"X" box ☐ FOR ADDITIONAL INVENTORS, and proceed on the attached page to list each additional inventor.  
☐ See additional foreign priorities on attached page (incorporated herein by reference).

Atty. Dkt. No. P068802-272092

(M#)

Inventor(s): Nicholas Palahnuk and Simon Holden  
Appln. (New Application) or Patent No.: \_\_\_\_\_

Atty. Dkt.  
P 068802/272092  
M# / Client Ref.

Filed: Herewith or Issued: \_\_\_\_\_

For: LIP ENHANCER

SMALL ENTITY STATEMENT CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9(f) and 1.27 (b)) - **INDEPENDENT INVENTOR**

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled as above and described in

X ☒ the specification filed herewith  
one → ☐ Application No. 1, filed  
box → ☐ Patent No.    , issued

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, convey or license any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e):

Each (small entity) person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention

X → ☒ there is no such person, concern, or organization.  
one → ☐ such persons, concerns or organizations are listed in (A) and (B) below:

(A) FULL NAME of assignee/licensee/grantee/conveyee\*  
ADDRESS

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION


(B) FULL NAME of assignee/licensee/grantee/conveyee\*  
ADDRESS

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

\*NOTE: Separate verified statement is required from each person, concern or organization named in (A) and (B) above having rights to the invention, averring to his/her/its status as a small entity. (37 CFR 1.27)

I acknowledge the duty to file, in this case, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

1. Nicholas Palahnuk  
NAME OF INVENTOR

  
Signature of Inventor

12-7-01  
Date

2. Simon Holden  
NAME OF INVENTOR

  
Signature of Inventor

12-7-01  
Date

3. \_\_\_\_\_  
NAME OF INVENTOR

\_\_\_\_\_  
Signature of Inventor

\_\_\_\_\_  
Date